

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VERLENE L. PARKER,

Plaintiff(s),

**CASE NUMBER: 09-13835
HONORABLE VICTORIA A. ROBERTS**

v.

**DEPARTMENT OF TREASURY,
UNITED STATES ATTORNEY, Detroit,
UNITED STATES ATTORNEY, Washington, D.C.,**

Defendant(s).

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

On December 28, 2009, the Court granted Defendants' Motion to Dismiss, and dismissed Plaintiff's Complaint without prejudice. The Court said Plaintiff may re-file her Complaint in the Court of Federal Claims.

Before the Court is Plaintiff's "Objection to Court's Order to Dismiss." (Doc. #14). Plaintiff says either an attorney or the Attorney General must file her complaint in the Court of Federal Claims; a *pro se* individual cannot do so. In addition, Plaintiff wants to file a motion for relocation assistance and for a court appointed attorney. Finally, Plaintiff wants to know if the briefing due January 4, 2010 is cancelled.

The Court construes Plaintiff's objection as a motion for reconsideration.

Eastern District of Michigan Local Rule 7.1(g)(3) provides for reconsideration if the movant demonstrates a palpable defect by which the court and the parties have been misled, and further demonstrates that correcting the defect will result in a different

disposition of the case. “A ‘palpable defect’ is a defect which is obvious, clear, unmistakable, manifest, or plain.” *Fleck v. Titan Tire Corp.*, 177 F.Supp.2d 605, 624 (E.D. Mich. 2001). “[T]he court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication.” L.R. 7.1(g)(3).

Plaintiff’s motion is **DENIED**; the Court’s Order dated December 28, 2009 does not suffer from a palpable defect.

Pursuant to Rule 83.1(a)(3) of the United States Court of Federal Claims, Plaintiff can file a *pro se* complaint in the Court of Federal Claims:

Pro Se Litigants. An individual who is not an attorney may represent oneself or a member of one’s immediate family, but may not represent a corporation, an entity, or any other person in any proceeding before this court. The terms counsel, attorney, and attorney of record include such individuals appearing *pro se*.

If Plaintiff re-files her Complaint in the Court of Federal Claims, all motions must also be filed in that court.

The January 4, 2010 date that Plaintiff asks about pertains to the date by which the Government was to file a Reply to Plaintiff’s Response to Defendant’s Motion to Dismiss. The Government filed its Reply on December 21, 2009. No further briefing is required or permitted in this Court.

IT IS ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts
United States District Judge

Dated: January 4, 2010

The undersigned certifies that a copy of this document was served on the attorneys of record and Verlene Parker by electronic means or U.S. Mail on January 4, 2010.

s/Linda Vertriest _____
Deputy Clerk